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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
07 MJ 2829

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4 **UNITED STATES OF AMERICA,**

5 Plaintiff,

6 v.

7 **Victor Manuel LOPEZ-Zarate**
8 **AKA: Javier SOSA**

9 Defendant

BY: Magistrate Case No.

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 18, U.S.C., Section 1546 (b)(1)
Fraud and misuse of visas, permits,
and other documents

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11 The undersigned complainant being duly sworn states:

12 On or about **December 6, 2007**, within the Southern District of California, defendant
13 **Victor Manuel LOPEZ-Zarate AKA: Javier SOSA**, an alien, in applying for entry to the
14 United States at the San Ysidro, California Port of Entry, used an identification document,
knowing, or having reason to know, that the document was not issued lawfully for the use of the
15 possessor, in violation of Title 18, United States Code, Section 1546(b)(1).

16 And the complainant states that this complaint is based on the attached statement of facts,
which is incorporated herein by reference.

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19 Signature of Complainant
Sara Esparagoza U.S. Customs and Border
20 Protection Enforcement Officer

21 Sworn to before me and subscribed in my presence, this 7th day of **December 2007**.

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24 **UNITED STATES MAGISTRATE JUDGE**

PROBABLE CAUSE STATEMENT

On December 6, 2007 at approximately 1606 hours, Defendant presented himself before a Customs and Border Protection (CBP) Officer at vehicle primary lane 18 of the San Ysidro Port of Entry to apply for admission into the United States. Defendant identified himself with a U.S. Passport (#300282779), bearing the name Javier Sosa, date of birth July 19, 1955 born in Texas, USA. The CBP Officer received a computer generated referral and escorted Defendant to secondary for further inspection.

In secondary, a system query revealed Defendant had received the passport fraudulently and the case was referred to the San Ysidro Prosecutions Unit.

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted he is a citizen and native of Mexico by virtue of birth in Mazatlan, Sinaloa Mexico. Defendant admitted his true name is Victor Manuel Lopez-Zarate with date of birth of October 31, 1962.

Defendant stated that he had entered the United States on a valid Mexican Passport with a valid visitor visa approximately 10 years ago. Defendant stated that he had taken a birth certificate from a friend while living in Long Beach approximately 10 years ago, applied for, and received a United States Passport using that identity. Defendant stated that he knew he was not entitled to a United States passport, knew that it was not his true identity on the United States passport issued to him and that it was a violation of U.S. Law to apply for entry into the United States at the San Ysidro Port of Entry.